



Legislation Details (With Text)

File #: 22-1315 **Version:** 1 **Name:** Resolution: Contract 05-WS2022 - Montana Construction Corporation, Inc.,

Type: Resolution **Status:** Adopted

File created: 9/15/2022 **In control:** Water Sewer Utility

On agenda: 11/2/2022 **Final action:** 11/2/2022

Title: Dept/ Agency: Water and Sewer Utilities
 Action: () Ratifying (X) Authorizing () Amending
 Type of Service: Bid Contract
 Purpose: To provide for the replacement of Fire Hydrants - Contract 05-WS2022.
 Entity Name: Montana Construction Corporation, Inc.
 Entity Address: 80 Contant Avenue, Lodi, New Jersey 07644
 Contract Amount: Not to exceed \$2,175,155.00
 Funding Source: 2022 Capital Budget/Department of Water and Sewer Utilities/NW037-750-7505-A-71960-B2022
 Contract Period: 365 calendar days to final completion from the date of the written Notice to Proceed
 Contract Basis: (X) Bid () State Vendor () Prof. Ser. () EUS
 (X) Fair & Open () No Reportable Contributions () RFP () RFQ
 () Private Sale () Grant () Sub-recipient () n/a
 Additional Information:
 Bid Packages Distributed: Nine (9)
 Bids Received: Six (6)

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
11/2/2022	1	Municipal Council	Adopt	Pass

Dept/ Agency: Water and Sewer Utilities
Action: () Ratifying (X) Authorizing () Amending
Type of Service: Bid Contract
Purpose: To provide for the replacement of Fire Hydrants - Contract 05-WS2022.
Entity Name: Montana Construction Corporation, Inc.
Entity Address: 80 Contant Avenue, Lodi, New Jersey 07644
Contract Amount: Not to exceed \$2,175,155.00
Funding Source: 2022 Capital Budget/Department of Water and Sewer Utilities/NW037-750-7505-A-71960-B2022
Contract Period: 365 calendar days to final completion from the date of the written Notice to Proceed
Contract Basis: (X) Bid () State Vendor () Prof. Ser. () EUS
 (X) Fair & Open () No Reportable Contributions () RFP () RFQ
 () Private Sale () Grant () Sub-recipient () n/a
Additional Information:
 Bid Packages Distributed: Nine (9)
 Bids Received: Six (6)

WHEREAS, the City of Newark (the “City”) advertised Contract #05-WS2022 replacement of Fire Hydrants located at various locations in the City of Newark, on August 17, 2022; and

WHEREAS, the Department of Water and Sewer Utilities (the “Department”) distributed nine (9) bid packages to prospective vendors following the date of bid advertisement; and

WHEREAS, on September 9, 2022, the Department received six (6) bids for said project in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, Montana Construction Corporation, Inc., 80 Contant Avenue, Lodi, New Jersey 07644 submitted the lowest responsive and responsible bid, according to the specifications and in the total amount of Two Million One Hundred Seventy-Five Thousand One Hundred Fifty-Five Dollars and Zero Cents (\$2,175,155.00); and

WHEREAS, the City wishes to accept the lowest responsible bid submitted by Montana Construction Corporation, Inc., on September 9, 2022, and enter into and execute Contract #05-WS2022 Replacement of Fire Hydrants, with Montana Construction Corporation, Inc., 80 Contant Avenue, Lodi, New Jersey 07644, for the total amount not to exceed Two Million One Hundred Seventy-Five Thousand One Hundred Fifty-Five Dollars and Zero Cents (\$2,175,155.00); and

WHEREAS, this contract is for an amount over \$17,500.00 and is being awarded as a Fair and Open contract, pursuant to N.J.S.A. 19:44A-20.5.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:

1. The Mayor of the City of Newark and/or his designee, the Director of the Department of Water and Sewer Utilities, are authorized to enter into and execute Contract #05-WS2022 Replacement of Fire Hydrants, with Montana Construction Corporation, Inc., 80 Contant Avenue, Lodi, New Jersey 07644, for bid total amount not to exceed Two Million One Hundred Seventy-Five Thousand One Hundred Fifty-Five Dollars and Zero Cents (\$2,175,155.00), the lowest responsible bidder for a period of 365 calendar days until final completion of the project, commencing from the date of the issuance of a written Notice to Proceed.
2. Attached is a partial Certification of Funds from the Chief Financial Officer, which states the funds in the amount of Twenty-Five Thousand Dollars and Zero Cents (\$25,000.00), are available in the Department of Water and Sewer Utilities Budget under Business Unit NW037, Department ID 750, Division 7505, Account 71960, B2022. Pursuant to N.J.A.C. 5:30-5.5(d) (1)(ii) Multi-year Contracts, the Director of the Department of Water and Sewer Utilities is authorized to extend the contract to the full value of Two Million One Hundred Seventy-Five Thousand One Hundred Fifty-Five Dollars and Zero Cents (\$2,175,155.00) when additional funds in the amount of Two Million One Hundred Fifty Thousand One Hundred Fifty-Five Dollars and Zero Cents (\$2,150,155.00) are certified from the 2023 and 2024 Budgets of the Department of Water and Sewer Utilities in accordance with the time at which the respective work or services are performed or liability for payment incurred. A copy of the Certification of Funds shall be filed in the Office of the City Clerk.
3. There shall be no amendment or change to the contract without approval by the Municipal Council.

3. There shall be no advance payment on this contract in accordance with N.J.S.A. 40A:5-16.

The Department of Water and Sewer Utilities shall file a fully executed copy of the contract and Notice to Proceed in the Office of the City Clerk.

3. This contract was solicited and awarded pursuant to the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., and the Contractor Pay-to-Play Reform Ordinance, R.O. 2:4-22C.1.
3. If required by State Law, the Acting City Clerk shall provide the appropriate notice of the award of this contract to the State Comptroller, no later than twenty (20) business days following such award, in accordance with N.J.S.A. 52:15C-10 and the Notice of the Office of the State Comptroller dated May 7, 2008.

STATEMENT

This Resolution authorizes the Mayor of the City of Newark and/or his designee, the Director of the Department of Water and Sewer Utilities, to accept the lowest responsible bid submitted by Montana Construction Corporation, Inc., on September 9, 2022, and enter into and execute Contract #05-WS2022 Replacement of Fire Hydrants with Montana Construction Corporation, Inc., 80 Contant Avenue, Lodi, New Jersey 07644, for the total bid amount of \$2,175,155.00 for a period of 365 calendar days until final completion, commencing from the date of the issuance of a written Notice to Proceed.